



Ernie Fletcher  
Governor

LaJuana S. Wilcher, Secretary  
Environmental and Public  
Protection Cabinet

Christopher L. Lilly  
Commissioner  
Department of Public Protection

Commonwealth of Kentucky  
**Public Service Commission**  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, Kentucky 40602-0615  
Telephone: (502) 564-3940  
Fax: (502) 564-3460  
psc.ky.gov

Mark David Goss  
Chairman

Teresa J. Hill  
Vice Chairman

Gregory Coker  
Commissioner

August 19, 2005

Lawrence W. Cook  
Assistant Attorney General  
Office of the Attorney General Utility & Rate Intervention Division  
1024 Capital Center Drive  
Suite 200  
Frankfort, KY 40601-8204

RE: Case No. 2005-00321

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell".

Beth O'Donnell  
Executive Director

BOD/jc  
Enclosure

Lawrence W. Cook  
Assistant Attorney General  
Office of the Attorney General  
Utility & Rate Intervention Division  
1024 Capital Center Drive  
Suite 200  
Frankfort, KY 40601-8204

Honorable Mark R. Hutchinson  
Attorney at Law  
Wilson, Hutchinson & Poteat  
611 Frederica Street  
Owensboro, KY 42301

Douglas Walther  
Senior Analyst - Rate Administration  
Atmos Energy Corporation  
P. O. Box 650205  
Dallas, TX 75235-0205

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MODIFICATIONS OF ATMOS ENERGY )  
CORPORATION'S GAS COST ADJUSTMENT ) CASE NO.  
TO INCORPORATE PERFORMANCE BASED ) 2005-00321  
RATEMAKING MECHANISM )

O R D E R

Atmos Energy Corporation ("Atmos") applied to the Commission for authority to modify its current Performance-Based Ratemaking mechanism ("PBR") and to extend the proposed PBR for an additional 5 years. Atmos filed this application in Case No. 2001-00317.<sup>1</sup> However, the Commission opened the above-referenced docket to review Atmos's proposal.

Subsequent to Atmos's application being assigned a new docket number, the Attorney General moved to intervene in Case No. 2001-00317. His motion has, therefore, been placed in the case file of this proceeding. After reviewing the Attorney General's motion and being otherwise sufficiently advised,

IT IS HEREBY ORDERED that the motion is granted, and the Attorney General is hereby made a party to this proceeding.

---

<sup>1</sup> Case No. 2001-00317, The Modification to Western Kentucky Gas Company, a Division of Atmos Energy Corporation (WKG) Gas Cost Adjustment to Incorporate an Experimental Performance-Based Ratemaking Mechanism.

Done at Frankfort, Kentucky, this 19th day of August, 2005.

By the Commission

ATTEST:

Executive Director